

## HUMBOLDT COUNTY SHERIFF'S OFFICE

January 4, 2019 statement posted on Facebook

A NOTE ABOUT 'MURDER MOUNTAIN': The Humboldt County Sheriff's Office has received several inquiries following the recent release of the docudrama 'Murder Mountain' on Netflix. In this television show, multiple members of the Humboldt County Sheriff's Office were interviewed along with other members of the public.

The original plotline of this series, as presented to the Sheriff's Office upon consideration of our participation, was to examine the changes in the county as a result of marijuana legalization, highlight the challenges of law enforcement in rural jurisdictions, and present a historic comparison of the county's "green rush" and timber rushes. At some point during their time in Humboldt County, the producers of 'Murder Mountain' decided to change the scope of the series to focus on the ongoing homicide investigation of Garret Rodriguez.

To those of you who have seen this series, please understand that you heard one side of a highly sensationalized story. The Humboldt County's Sheriff's Office did not provide this film crew with any pertinent facts or evidence regarding this case because it is an open investigation. As a matter of standard operating procedure, we will not jeopardize the prosecution of a case because of the media pressure or desire to run a story. By relying on unofficial and biased sources, the producers of this series presented information that was not credible nor could be used in a court of law.

While we are unable to address case-specific questions, here is what we can answer for viewers who are left with some questions after watching this incomplete narrative.

### 1. HEARSAY AND PROBABLE CAUSE

The Humboldt County Sheriff's Office relies on information provided by witnesses and informants every day to author warrants that we serve in Humboldt County. This could be referred to as "hearsay" in court. The Hearsay rule prevents us from presenting out-of-court statements to be brought into court for consideration by a judge or jury. Witnesses have to testify in court and law enforcement cannot provide a jury or a judge information that was provided through a third party or rumor.

We cannot rely on hearsay to successfully prosecute any felony case. We need independent evidence that proves the case beyond a reasonable doubt. Just because we have reasonable suspicion or probable cause does not necessarily mean that we will make an arrest and attempt to persuade the District Attorney to prosecute. If the Sheriff and the District Attorney present limited facts and evidence in a jury trial that does not prove our case beyond a reasonable doubt, a defendant could be found NOT Guilty and then double jeopardy prevents us from bringing the case to trial when and if more evidence is discovered. Thereby making it so that true justice can never happen.

## 2. SHERIFF'S OFFICE INVESTIGATION AND FBI INVOLVEMENT

The producers of "Murder Mountain" did not accurately report our involvement in the Garret Rodriguez case, nor did it report the FBI involvement. Humboldt County Sheriff's Office investigators forwarded this case to the Humboldt County District Attorney's Office for review. The District Attorney's Office determined that it would not file charges at that time due to the lack of evidence.

The FBI is working alongside us on this case and they attempted to get a case to be reviewed and filed as a Federal case by the United States Attorney out of San Francisco. The United States Attorney also would not file on this case because of the lack of evidence.

## 3. SHERIFF'S OFFICE PRESENCE IN THE ALDERPOINT / RANCHO SEQUOIA AREA

The Sheriff's Office is not deterred from working cases in the Alderpoint / Rancho Sequoia area. Unfortunately, it appears a false message was construed in this documentary by private investigators and members of law enforcement that are not and have not been associated with the Sheriff's Office. The men and women of the Humboldt County Sheriff's Office swore an oath to serve and protect all people. Our deputies often work in rural areas where backup may be a half hour or more away. Additionally, being in such a rural county, many community members own firearms and legally carry. Our deputies frequently encounter members of the public who are legally and illegally carrying firearms. The presence of firearms, whether legal or illegal, does not deter our deputies from working in that community or neighborhood. Deputies are trained to professionally de-escalate situations in which a suspect may be armed and are equipped with the necessary tools to do so.

One unique quality about the Alderpoint / Rancho Sequoia community, otherwise referred to as "Murder Mountain" by the series, is that many residents do not like deputies in the area asking questions. They often

do not want to speak with deputies, even though it may help us to solve a criminal investigation involving one of their acquaintances. This makes investigating crimes and securing witnesses to testify in court very difficult. However, this too does not deter us from conducting investigations in this area.

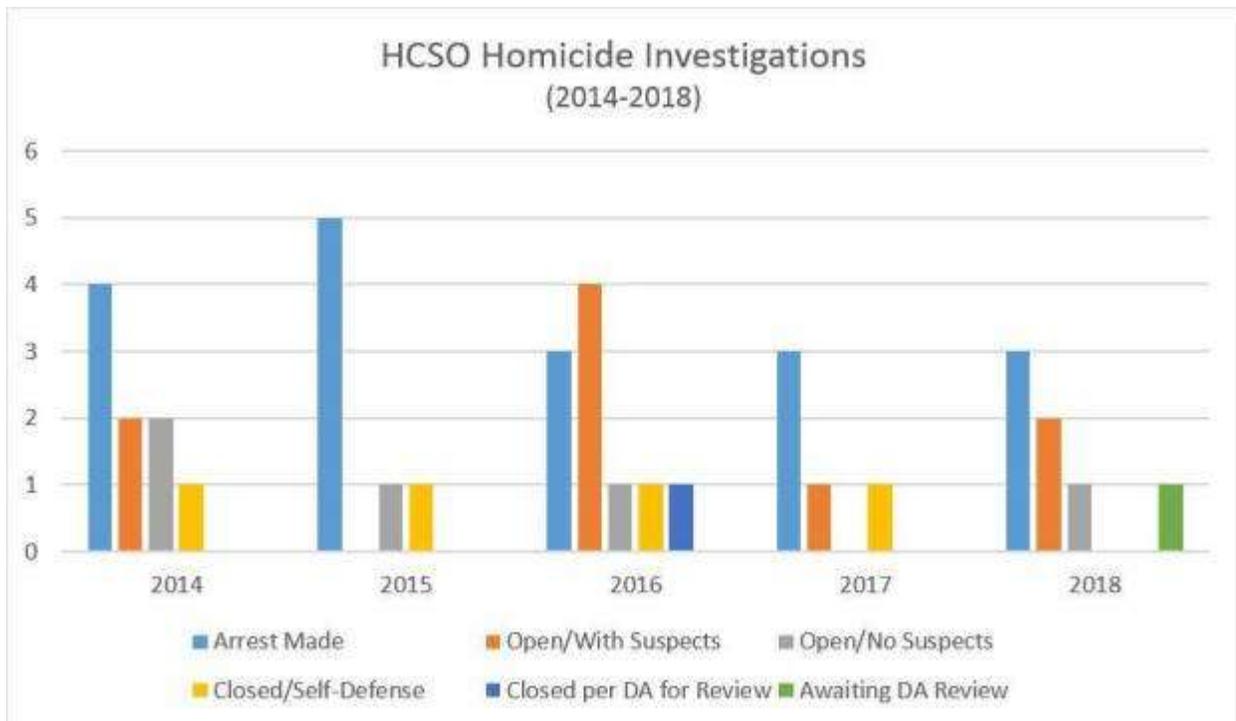
In specific reference to the Garret Rodriguez case, during the time when Garret Rodriguez was reported missing, the Sheriff's Office served many search warrants in the Alderpoint / Rancho Sequoia area for illegal cannabis growing operations. We believe that this increased pressure on the community is what caused the vigilantism, because the community wanted the Sheriff's Office to stop looking for Rodriguez and leave the area.

The Sheriff's Office continues to serve search warrants in the Alderpoint / Rancho Sequoia area and continually responds to other cases in the community.

#### 4. DIVERSITY AND THE PROMISE TO SERVE AND PROTECT ALL PEOPLE

The Humboldt County Sheriff's Office is made up of a diverse staff, many of which have lived in this county for their entire lives. Additionally, the County of Humboldt is a community made up of many different ethnicities, viewpoints and professions. We are committed to serving all people and do not discriminate when enforcing the law.

We will continue, however, to educate the public about the risks associated with working on illegal cannabis farms in Humboldt County. By nature, some of these farms are associated with missing persons, violent crime- including murder and robbery, sexual assault, human trafficking and narcotics crimes. With legalization, there are many farms that are legitimate farms in Humboldt County. We discourage the public from working on illegal cannabis farms because of the dangers listed above. We highly discourage visitors from out of the area to come here and do so as well. However, the Sheriff's Office is committed to investigating crimes that do occur on these farms and will do everything in our power to seek justice for victims.



## 5. AN INSIGHT INTO HCSO HOMICIDE INVESTIGATIONS

Out of our dedication to transparency, we have compiled the following statistics for all homicides occurring between 2014-2018. (photos attached)

2014

Arrest Made 4 (3 convicted, 1 acquitted)

Open With Suspects 2

Open Without Suspects 2

Closed, Determined Self Defense 1

Closed Per District Attorney for Review

Awaiting DA Review

TOTAL: 9

2015

Arrest Made 5 (4 convicted, 1 awaiting trial)

Open With Suspects

Open Without Suspects 1

Closed, Determined Self Defense 1

Closed Per District Attorney for Review

Awaiting DA Review

TOTAL: 7

2016

Arrest Made 3 (awaiting trial)

Open With Suspects 4

Open Without Suspects 1

Closed, Determined Self Defense 1

Closed Per District Attorney for Review 1

Awaiting DA Review

TOTAL: 10

2017

Arrest Made 3 (1 convicted, 1 awaiting trial)

Open With Suspects 1

Open Without Suspects

Closed, Determined Self Defense 1

Closed Per District Attorney for Review

Awaiting DA Review

TOTAL: 5

2018

Arrest Made 3 (awaiting trial)

Open With Suspects 2

Open Without Suspects 1

Closed, Determined Self Defense

Closed Per District Attorney for Review

Awaiting DA Review 1

TOTAL: 7

Of course, after a series such as 'Murder Mountain', there are still many questions you may have. We will continue to answer those questions as best as we can, however as previously stated, the status of this case

being under investigation seriously limits the information we are allowed to disclose. If you were the victim or family of the victim of a serious crime that was under investigation, we're sure that you would expect the same privacy and professionalism.

Finally, as all things in Hollywood, please know that 'Murder Mountain' is a Hollywood manufactured drama based on a true story. It was designed to be sold to Netflix for a profit. The Humboldt County Sheriff's Office was not paid to be part of this series and participated out of our commitment to transparency.

Despite the dark side of our county that this series attempted to portray, if you do not live here, we encourage you to come visit, see the true beauty that Humboldt County has to offer and meet the incredible people that live and work here. For those of you who do not live here, but clearly have a passion for justice and an extensive knowledge of how policing should be done- we encourage you to get up and take action. Go to a police academy near you and join the force, become a community champion and make change in your city or county, advocate for laws or changes in laws that serve to make your community safer, and of course, get to know your local law enforcement and see what you can do to help prevent crime in your neighborhood.

For those of you that do live here, as always, call us if you need us; we're here to help.